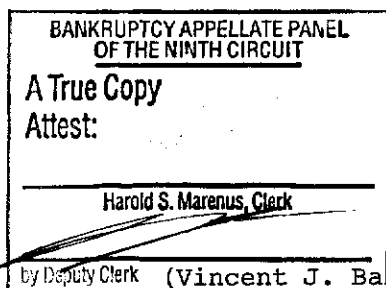


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UNITED STATES BANKRUPTCY APPELLATE PANEL  
OF THE NINTH CIRCUIT

**FILED**

MAY 3 2007

HAROLD S. MARENUS, CLERK  
U. S. BKCY. APP. PANEL  
OF THE NINTH CIRCUIT



BAP NO.: NV-06-1401

BK NO.: S-06-10725-LBR  
S-06-10726-LBR  
S-06-10727-LBR  
S-06-10728-LBR  
S-06-10729-LBR  
(Jointly Administered)

Date: 05/03/07

REF NO.: 06-22

In re: USA COMMERCIAL MORTGAGE COMPANY; In re: USA CAPITAL  
REALTY ADVISORS, LLC; In re: USA CAPITAL FIRST TRUST DEED  
FUND, LLC; In re: USA SECURITIES, LLC

Debtor

PROSPECT HIGH INCOME FUND; ML CBO IV (CAYMAN) LTD.; PAMCO  
CAYMAN, LTD.; PAM CAPITAL FUNDING, L.P.; HIGHLAND CRUSADER  
FUND, LTD.; PCMG TRADING PARTNERS XXII, L.P.

Appellant

v.

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC; OFFICIAL  
COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL  
DIVERSIFIED TRUST DEED FUND LLC

Appellee

ORDER OF DISMISSAL

The parties' stipulation to dismiss this appeal is  
approved by the Bankruptcy Appellate Panel. Therefore, it is  
hereby ORDERED that the appeal is DISMISSED pursuant to Federal  
Rule of Bankruptcy Procedure 8001(c)(2).

Due to this dismissal, oral argument is CANCELLED.

A certified copy of this order sent to the Bankruptcy Court  
shall constitute the mandate of the Panel.

Harold S. Marenus, BAP Clerk

By: Vincent J. Barbato, Deputy Clerk

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MAY -7 P1:46  
U.S. BANKRUPTCY COURT  
NINTH CIRCUIT

CERTIFICATE OF MAILING

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The undersigned deputy clerk of the U.S. Bankruptcy Appellate Panel of the Ninth Circuit hereby certifies that a copy of the document to which this certificate is attached was mailed this date to all parties in interest as designated by the Appellant in the Notice of Appeal, to the United States Trustee and the Clerk of the Bankruptcy Court.

\_\_\_\_\_  
By: Vincent J. Barbato  
Deputy Clerk/Date: May 3, 2007